

1 WALSTON CROSS ATTORNEYS  
THOMAS J. O'BRIEN, State Bar # 274969  
2 735 Montgomery Street, Suite 250  
San Francisco, CA 94111  
3 Telephone no. (415) 956-9200  
Facsimile: (415) 956-9205  
4 Attorneys for Plaintiff  
5 RICHARD BONOMI

6 DENNIS J. HERRERA, State Bar #139669  
City Attorney  
7 JOANNE HOEPER, State Bar #114961  
Chief Trial Attorney  
8 LEONOR NOGUEZ, State Bar #152905  
Deputy City Attorney  
9 Fox Plaza  
1390 Market Street, Sixth Floor  
10 San Francisco, California 94102-5408  
Telephone: (415) 554-3854  
11 Facsimile: (415) 554-3837  
E-Mail: leonor.noguez@sfgov.org

12 Attorneys for Defendant  
13 CITY AND COUNTY OF SAN FRANCISCO

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 RICHARD BONOMI,

17 Plaintiff,

18 vs.

19 CITY AND COUNTY OF SAN  
20 FRANCISCO, OFFICER MARCI aka  
OFFICER MARCY aka OFFICER MARCIE,  
21 an individual, DOES ONE THROUGH  
TWENTY, inclusive,,

22 Defendants.  
23

Case No. CV-10 5847 PJH

**JOINT CASE MANAGEMENT STATEMENT  
AND RULE 26(f) REPORT AND ORDER**

Date: March 31, 2011  
Time: 1 p.m.  
Courtroom: Courtroom 3, 3<sup>rd</sup> Floor  
1301 Clay Street, Oakland

The Honorable Phyllis J. Hamilton

24 The parties hereby submit this Joint Case Management Statement.  
25

26 1. Jurisdiction and Service: The Court has federal jurisdiction of this matter pursuant to 42  
27 USC Section 1983.  
28

2. Facts/Description of Case and Defenses:

A. Plaintiff

In light of Defendant's request below, Plaintiffs join in Defendant's request to stay the proceedings in this matter for 50 days.

B. Defendants

Defendant City and County of San Francisco only this week received a letter from plaintiff's counsel, dated March 18, 2011, explaining the facts giving rise to the filing of plaintiff's complaint. Defendant will provide a copy of that letter to the Court at the Case Management Conference. Now that the City has information concerning the factual allegations, the City made a demand to the San Francisco Forty Niners that they accept tender of the defense in this case. Defendant therefore respectfully requests that the Court stay proceedings in this matter for 50 days to solidify the tender. The Forty Niners and not the City and County of San Francisco should play a role in fashioning the management of this case.

3. Legal Issues:

4. Motions: No motions are pending.

5. Amendment of Pleadings:

6. Evidence Preservation.

Defendants are unaware whether Plaintiff has preserved evidence in his possession.

7. Disclosures:

8. Discovery: No formal Discovery has yet taken place.

The parties agree that the Federal Rules of Civil Procedure shall govern all discovery and supplementations.

9. Class Actions: Not applicable.

10. Related Cases: There are no related cases.

11. Relief:

Defendants currently have no information about Plaintiff's claimed injuries and other claimed damages.

12. Settlement and ADR:

13. Consent to Magistrate Judge For All Purposes: Defendants declined to consent to the appointment of a Magistrate Judge to conduct all proceedings.

14. Other References: The parties do not believe an Other Reference is appropriate here.

15. Narrowing of Issues:

16. Expedited Schedule:

17. Scheduling:

18. Trial:

19. Disclosure of Non-Party Interested Entities or Persons: There are no non-Party Interested Entities or Persons in this matter, and those Disclosures have not formally been made.

20. Other Matters: The City's tender of this matter is pending.

Dated: March 24, 2011

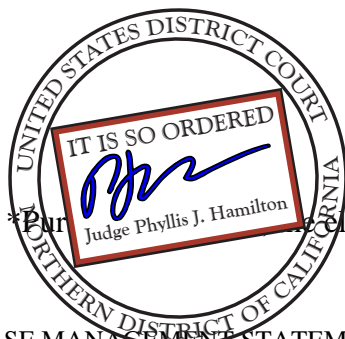
WALSTON CROSS, ATTORNEYS

/s/\*  
Thomas J. O'Brien  
Attorneys for Plaintiff

Dated: March 24, 2011

DENNIS J. HERRERA  
CITY ATTORNEY

By: /s/  
LEONOR NOGUEZ  
Deputy City Attorney  
Attorneys for Defendants



THE CASE MANAGEMENT CONFERENCE IS CONTINUED  
TO MAY 26, 2011 AT 2:00 P.M.

\*Parties' electronic signatory has obtained approval from this signatory.